

MINUTES
NEVADA STATE BOARD OF OPTOMETRY
SPECIAL TELEPHONE MEETING

March 14th, 2005
Office of the Nevada State Board of Optometry
1000 East William
Suite 109
Carson City, Nevada

Dr. Alleman asked for public comment. There was no public comment.

A special telephone meeting of the Nevada Board of Optometry was called to order by Board President, Kurt G. Alleman, O.D., at 8:00 o'clock a.m. on March 14th, 2005, at the office of the Board of Optometry, 1000 East William, Suite 109, Carson City, Nevada.

Identifying themselves as participating were:

Kurt G. Alleman, O.D., Board President
Brad C. Stewart, O.D., Board Member
Jack Sutton, O.D., Board Member
George Bean, Board Member

Participating and present at the Board office were:

Judi Kennedy, Executive Director
Mark Marsh, Esq.

Dr. Sutton advised he was recusing himself, based on a prior business relationship with Carla Mack, O.D.

Dr. Alleman noted for the record that Dr. Carla Mack, who had been subpoenaed to attend the meeting, was not present.

Dr. Alleman continued, outlining the situations that had led to the concerns of the Board regarding Dr. Mack's fitness to practice optometry. Dr. Alleman reviewed for

the

Board, the court documents relating to Dr. Mack's convictions and incarceration for Driving While Under the Influence of Alcohol.

Further, Dr. Alleman noted, that based on the documents, Dr. Mack had not submitted her renewal documents, renewal fee, and continuing education information on or before February 28th, 2005, as is required by statute. Ms. Kennedy advised the Board Dr. Mack's license had been suspended for failure to renew in a timely manner.

The Board discussed the court documents reflecting the arrests and incarceration. The Board concluded random inspections of Dr. Mack's practice location would be in order. Dr. Stewart opined it would be beneficial to receive correspondence from Dr. Mack on a quarterly basis stating she has not practiced while intoxicated, and that she had not been the subject of any further arrests. Mr. Bean agreed that such periodic statements should be submitted by Dr. Mack. The Board determined that random drug testing would also be in order.

Dr. Stewart moved that in the event Dr. Mack cured the suspension of her license, the license would be renewed on a probationary basis; that random inspections of her office would be conducted by an agent of the Board; that quarterly statements, in the form of an affidavit be submitted to the Board by Dr. Mack; and that Dr. Mack make herself available for random drug testing. Mr. Bean seconded the motion. The vote was unanimous.

Dr. Stewart stated the Board could not ignore the fact Dr. Mack had failed to appear as required by the subpoena. The Board directed Board counsel to prepare and file the necessary documents for a show cause action based on Dr. Mack's failure to appear in response to the subpoena.

Dr. Alleman asked for public comment. There was no public comment

The Board scheduled a telephone meeting for Friday, April 8th, 2005 and a Friday, May 13th, 2005, meeting in Las Vegas.

Mr. Bean moved the meeting be adjourned. Dr. Sutton seconded the motion. The meeting adjourned at 8:33 a.m.